

10/623,328

<b>PTO/SB/08 Form (RESPIRONICS Version)</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				<b>Application No.</b>	Not Yet Assigned
				<b>Filing Date</b>	July 18, 2003
				<b>Inventor</b>	LATTNER et al.
				<b>Confirmation No.</b>	Unknown
				<b>Group Art Unit</b>	Unknown
<b>Date</b>	July 18, 2003			<b>Examiner:</b>	Unknown
<b>Sheet</b>	1	of	7	<b>Attorney Docket No:</b>	98-15 D1

U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No.	U.S. Patent Document		Name of Patentee	Publication Date MM-DD-YYYY	Relevant Pages, Columns, Lines
		Number	Kind Code			
/J.T./	A	3,480,010		Crossley	11/1969	
/J.T./	B	4,153,060		Korostoff et al.	05/1979	
/J.T./	C	4,334,542		Takinishi et al.	06/1982	
/J.T./	D	4,365,636		Barker	12/1982	
/J.T./	E	4,433,693		Hochstein	02/1984	
/J.T./	F	4,519,400		Brenman et al.	05/1985	
/J.T./	G	4,580,575		Birnbaum et al.	04/1986	
/J.T./	H	4,637,405		Brenman et al.	01/1987	
/J.T./	I	4,669,459		Spiewak et al.	06/1987	
/J.T./	J	4,715,367		Crossley	12/1987	
/J.T./	K	4,788,533		Mequignon	11/1988	
/J.T./	L	4,830,008		Meer	05/1989	
/J.T./	M	4,907,602		Sanders	03/1990	
/J.T./	N	5,123,425		Shannon, Jr. et al.	06/1992	
/J.T./	O	5,133,354		Kallok	07/1992	
/J.T./	P	5,146,918		Kallok et al.	09/1992	

FOREIGN PATENT DOCUMENTS								
Examiner Initials	Cite No.	Foreign Patent Document			Patentee or Applicant	Publication Date MM-DD-YYY	Relevant Pages, Columns, Lines	T
		Office	Number	Kind Code				
/J.T./	Q	EP	EP 0 494 787 B1		Kallok et al.	09/1992		
/J.T./	R	EP	EP 0 597 891 B1		Kallok	03/1992		
/J.T./	S	EP	EP 0 702 977 A2		Testerman	09/1995		
/J.T./	T	SU	SU 1424-792-A		Unknown	05/1986		
/J.T./	U	SU	SU 1553140 A1		Unknown	03/1990		
	V							
	W							
	X							

<b>Examiner Signature</b>	/Jonathan Thomas/	<b>Date Considered</b>	06/05/2007
-------------------------------	-------------------	----------------------------	------------

EXAMINER: Initial if citation is considered, whether or not citation is in conformance with MPEP § 609. Draw a line through the citation if not in conformance and not considered. Per MPEP § 609, include a copy of this form with the next communication to the Applicant.

<b>PTO/SB/08 Form (RESPIRONICS Version)</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				<b>Application No.</b>	Not Yet Assigned
				<b>Filing Date</b>	July 18, 2003
				<b>Inventor</b>	LATTNER et al.
				<b>Confirmation No.</b>	Unknown
				<b>Group Art Unit</b>	Unknown
<b>Date</b>	July 18, 2003			<b>Examiner:</b>	Unknown
<b>Sheet</b>	2	of	7	<b>Attorney Docket No:</b>	98-15 D1

U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No.	U.S. Patent Document		Name of Patentee	Publication Date MM-DD-YYYY	Relevant Pages, Columns, Lines
		Number	Kind Code			
/J.T./	A	5,158,080		Kallok	10/1992	
/J.T./	B	5,174,287		Kallok et al.	12/1992	
/J.T./	C	5,178,156		Takishima et al.	01/1993	
/J.T./	D	5,190,053		Meer	03/1993	
/J.T./	E	5,211,173		Kallok et al.	05/1993	
/J.T./	F	5,215,082		Kallok et al.	06/1993	
/J.T./	G	5,233,983		Markowitz	08/1993	
/J.T./	H	5,265,624		Bowman	11/1993	
/J.T./	I	5,277,193		Takisima et al.	01/1994	
/J.T./	J	5,281,219		Kallok	01/1994	
/J.T./	K	5,284,161		Karell	02/1994	
/J.T./	L	5,330,527		Montecalvo et al.	07/1994	
/J.T./	M	5,483,969		Testerman et al.	01/1996	
/J.T./	N	5,485,851		Erickson	01/1996	
/J.T./	O	5,522,862		Testerman et al.	06/1996	
/J.T./	P	5,540,731		Testerman	07/1996	

FOREIGN PATENT DOCUMENTS								
Examiner Initials	Cite No.	Foreign Patent Document			Patentee or Applicant	Publication Date MM-DD-YYY	Relevant Pages, Columns, Lines	T
		Office	Number	Kind Code				
	Q							
	R							
	S							
	T							
	U							
	V							
	W							
	X							

<b>Examiner Signature</b>	/Jonathan Thomas/	<b>Date Considered</b>	06/05/2007
-------------------------------	-------------------	----------------------------	------------

EXAMINER: Initial if citation is considered, whether or not citation is in conformance with MPEP § 609. Draw a line through the citation if not in conformance and not considered. Per MPEP § 609, include a copy of this form with the next communication to the Applicant.

<b>PTO/SB/08 Form (RESPIRONICS Version)</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>			<b>Application No.</b>	Not Yet Assigned
			<b>Filing Date</b>	July 18, 2003
			<b>Inventor</b>	LATTNER et al.
			<b>Confirmation No.</b>	Unknown
			<b>Group Art Unit</b>	Unknown
<b>Date</b>	July 18, 2003		<b>Examiner:</b>	Unknown
<b>Sheet</b>	3	of 7	<b>Attorney Docket No:</b>	98-15 D1

U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No.	U.S. Patent Document		Name of Patentee	Publication Date MM-DD-YYYY	Relevant Pages, Columns, Lines
		Number	Kind Code			
/J.T./	A	5,540,732		Testerman	06/1996	
/J.T./	B	5,540,733		Testerman et al.	07/1996	
/J.T./	C	5,546,952		Erickson	08/1996	
/J.T./	D	5,549,655		Erickson	08/1996	
/J.T./	E	5,591,216		Testerman et al.	01/1997	
/J.T./	F	5,678,535		DiMarco	10/1997	
/J.T./	G	5,792,040		Koeneman et al.	08/1998	
/J.T./	H	5,792,067		Karell	08/1998	
	I					
	J					
	K					
	L					
	M					
	N					
	O					
	P					

FOREIGN PATENT DOCUMENTS								
Examiner Initials	Cite No.	Foreign Patent Document			Patentee or Applicant	Publication Date MM-DD-YYY	Relevant Pages, Columns, Lines	T
		Office	Number	Kind Code				
	Q							
	R							
	S							
	T							
	U							
	V							
	W							
	X							

<b>Examiner Signature</b>	/Jonathan Thomas/	<b>Date Considered</b>	06/05/2007
-------------------------------	-------------------	----------------------------	------------

EXAMINER: Initial if citation is considered, whether or not citation is in conformance with MPEP § 609. Draw a line through the citation if not in conformance and not considered. Per MPEP § 609, include a copy of this form with the next communication to the Applicant.

PTO/SB/08 Form (RESPIRONICS Version)				Application No.	Not Yet Assigned
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				Filing Date	July 18, 2003
				Inventor	LATTNER et al.
				Confirmation No.	Unknown
				Group Art Unit	Unknown
Date	July 18, 2003			Examiner:	Unknown
Sheet	4	of	7	Attorney Docket No:	98-15 D1

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T	
/J.T./	Y	Giuseppe Sant' Ambrogio et al., "Sensory Information from the Upper Airway: Role in the Control of Breathing," Respiration Physiology, Vol., 102, 1995, pages 1 - 16		
/J.T./	Z	American Review of Respiratory Disease, "Arousal: The Forgotten Response to Respiratory Stimuli," Vol.118, 1978, pages 807 - 809		
/J.T./	AA	American Sleep Disorders Association Task Force, "The Chicago Criteria for Measurements, Definitions, and Severity Ratings of Sleep Related Breathing Disorders in Adults," 1997, pages S1 - S19		
/J.T./	BB	Michael J. Decker et al., "Functional Electrical Stimulation and Respiration During Sleep," J. Appl. Physiol., 1993, pages 1053 - 1061		
/J.T./	CC	Lee C. Edmonds et al., "The Effects of Transcutaneous Electrical Stimulation During Wakefulness and Sleep in Patients with Obstructive Sleep Apnea," Am Rev Respir Dis., 1992, pages 1030 - 1036		
/J.T./	DD	David W. Eisele, MD et al., "Direct Hypoglossal Nerve Stimulation in Obstructive Sleep Apnea," Arch Otolaryngol Head Neck Surg., Vol. 123, 1997, pages 57 - 61		
/J.T./	EE	David W. Eisele, MD et al. "The Effects of Selective Nerve Stimulation on Upper Airway Airflow Mechanics," Arch Otolaryngol Head Neck Surg., Vol. 121, 1995, pages 1361 - 1364		
/J.T./	FF	David W. Fairbanks, MD et al., "Neurostimulation for Obstructive Sleep Apnea: Investigations," ENT Journal, Vol. 72, No. 1, 1993, pages 52 - 57		
/J.T./	GG	Iain C. Gleadhill et al., "Upper Airway Collapsibility in Snorers and in Patients with Obstructive Hypopnea and Apnea," Am Rev Respir. Dis., Vol. 143, 1991, pages, 1300 - 1303		
/J.T./	HH	George S. Goding, Jr., MD et al., "Relief of Upper Airway Obstruction with Hypoglossal Nerve Stimulation in the Canine," Laryngoscope, Vol. 106, 1996, pages 162 - 163		
/J.T./	II	Christian Guilleminault, MD et al., "The Effect of Electrical Stimulation on Obstructive Sleep Apnea Syndrome," Chest, Vol. 107, 1995, pages 67 - 73		
/J.T./	JJ	Joan C. Hendricks et al., "Upper Airway Dilating Muscle Hyperactivity During Non-Rapid Eye Movement Sleep in English Bulldogs," Am Rev Respir Dis, Vol. 148, 1993, pages 185 - 194		

Examiner Signature	/Jonathan Thomas/	Date Considered	06/05/2007
-----------------------	-------------------	--------------------	------------

EXAMINER: Initial if citation is considered, whether or not citation is in conformance with MPEP § 609. Draw a line through the citation if not in conformance and not considered. Per MPEP § 609, include a copy of this form with the next communication to the Applicant.

PTO/SB/08 Form (RESPIRONICS Version)				Application No.	Not Yet Assigned
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				Filing Date	July 18, 2003
				Inventor	LATTNER et al.
				Confirmation No.	Unknown
				Group Art Unit	Unknown
Date	July 18, 2003			Examiner:	Unknown
Sheet	5	of	7	Attorney Docket No:	98-15 D1

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T	
/J.T./	Y	Wataru Hida et al., "Hypoglossal Nerve Stimulation Affects the Pressure-Volume Behavior of the Upper Airway," American Journal of Respiratory and Critical Care Medicine, Vol. 151, 1995, pages 455 - 460		
/J.T./	Z	Wataru Hida et al., "Submental Stimulation and Supraglottic Resistance During Mouth Breathing," Respiration Physiology, Vol. 101, 1995, pages 79 - 85		
/J.T./	AA	B. Hillarp et al., "Videoradiography at Submental Electrical Stimulation During Apnea in Obstructive Sleep Apnea Syndrome," Acta Radiologica, Vol. 32, 1991, pages 256 - 259		
/J.T./	BB	R.L. Homer et al., "Sites and Sizes of Fat Deposits Around the Pharynx in Obese Patients with Obstructive Sleep Apnoea and Weight Matched Controls," Eur Respir J., Vol. 2, 1989, pages 613 - 622		
/J.T./	CC	Faiq G. Issa et al., "Genioglossus and Breathing Responses to Airway Occlusion: Effect of Sleep and Route of Occlusion," J. Appl. Physiol., Vol. 64 No. 2, 1988, pages 543 - 549		
/J.T./	DD	R. John Kimoff et al., "Mechanisms of Apnea Termination in Obstructive Sleep Apnea," American Journal of Respiratory and Critical Care Medicine, Vol. 149, 1994, pages 707 - 714		
/J.T./	EE	Hiroshi Kilmura et al., "The Effect of Hypoxic Depression on Genioglossal Muscle Activity in Healthy Subjects and Obstructive Sleep Apnea Patients," American Sleep Disorders Association and Sleep Research Society, Vol. 16, 1993, pages S135 - S136		
/J.T./	FF	Erik van Lunteren, M.D. et al., "The Muscles of the Upper Airways," Clinics in Chest Medicine, Vol. 7, No. 2, 1986, pages 171 - 188		
/J.T./	GG	William S. Mezzanotte et al., "Waking Genioglossal Electromyogram in Sleep Apnea Patients Versus Normal Controls (a Neuromuscular Compensatory Mechanism)," The Journal of Clinical Investigation, Inc., Vol. 89, 1992, pages 1571 - 1579		
/J.T./	HH	Miki Hiroshi et al., "A New Treatment for Obstructive Sleep Apnea Syndrome by Electrical Stimulation of Submental Region," Tohoku J. Exp. Med., Vol. 154 No. 1, 1988, pages 91 - 92		
/J.T./	II	Miki Hiroshi et al., "Effects of Submental Electrical Stimulation During Sleep on Upper Airway Patency in Patients with Obstructive Sleep Apnea," Am Rev Respir Dis., Vol. 140, 1989, 1285 - 1289		
/J.T./	JJ	D.L. Morrison et al., "Pharyngeal Narrowing and Closing Pressures in Patients with Obstructive Sleep Apnea," Am Rev Respir Dis., Vol. 148, 1993, pages 606 - 611		

Examiner Signature	/Jonathan Thomas/	Date Considered	06/05/2007
--------------------	-------------------	-----------------	------------

EXAMINER: Initial if citation is considered, whether or not citation is in conformance with MPEP § 609. Draw a line through the citation if not in conformance and not considered. Per MPEP § 609, include a copy of this form with the next communication to the Applicant.

PTO/SB/08 Form (RESPIRONICS Version)		Application No.		Not Yet Assigned		
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		Filing Date		July 18, 2003		
		Inventor		LATTNER et al.		
		Confirmation No.		Unknown		
		Group Art Unit		Unknown		
Date	July 18, 2003		Examiner:		Unknown	
Sheet	6	of	7	Attorney Docket No:		98-15 D1

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T
/J.T./	Y	H. Bishara et al., "Electrically-Activated Dilator Muscles Reduce Pharyngeal Resistance in Anaesthetized Dogs with Upper Airway Obstruction," Eur Respir J., Vol. 8, 1995, pages 1537 - 1542	
/J.T./	Z	Odeh Majed et al., "Dependency of Upper Airway Patency on Head Position: The Effect of Muscle Contraction," Respiration Physiology, Vol. 100, 1995, pages 239 - 244	
/J.T./	AA	A. Oliven et al., "Improved Upper Airway Patency Elicited by Electrical Stimulation of the Hypoglossus Nerves," Respiration, Vol. 63, 1996, pages 213 - 216	
/J.T./	BB	Onal Ergun et al., "Periodic Breathing and the Pathogenesis of Occlusive Sleep Apneas," Am Rev Respir Dis., Vol. 126, 1982, pages 676 - 680	
/J.T./	CC	Anthony T. Scardella et al., "Strength and Endurance Characteristics of the Normal Human Genioglossus," Am Rev Respir Dis., Vol. 148, 1993, pages 179 - 184	
/J.T./	DD	R.P. Schnall, et al., "Dilatory Effects of Upper Airway Muscle Contraction Induced by Electrical Stimulation in Awake Humans," J. Appl. Physiol., Vol. 78 No. 5, 1995, pages 1950 - 1956	
/J.T./	EE	Alan R. Schwartz et al., "Electrical Stimulation of the Lingual Musculature in Obstructive Sleep Apnea," J. Appl. Physiol., Vol. 81 No. 2, 1996, pages 643 - 652	
/J.T./	FF	Alan R. Schwartz, M.D. "Hypoglossal Nerve Stimulation in Obstructive Sleep Apnea," APSS Post Graduate Course, May 30, 1995, pages 1 - 9	
/J.T./	GG	Richard S. Schwartz, DDS et al., "Effects of Electrical Stimulation to the Soft Palate on Snoring and Obstructive Sleep Apnea," Dec. 20, 1995, pages 1 - 17	
/J.T./	HH	Karen Eller Shelton et al., "Paryngeal Fat in Obstructive Sleep Apnea," Am Rev Respir Dis., Vol. 148, 1993, pages 462 - 466	
/J.T./	II	John W. Shepard, Jr. et al., "Localization of Upper Airway Collapse During Sleep in Patients with Obstructive Sleep Apnea," Am Rev Respir Dis., Vol. 141, 1990, pages 1350 - 1355	
/J.T./	JJ	Douglas J. Tangel et al., "Influence of Sleep on Tensor Palatini EMG and Upper Airway Resistance in Normal Men," J. Appl. Physiol., Vol. 70 No. 6, 1991, pages 2574 - 2581	

Examiner Signature	/Jonathan Thomas/	Date Considered	06/05/2007
--------------------	-------------------	-----------------	------------

EXAMINER: Initial if citation is considered, whether or not citation is in conformance with MPEP § 609. Draw a line through the citation if not in conformance and not considered. Per MPEP § 609, include a copy of this form with the next communication to the Applicant.

PTO/SB/08 Form (RESPIRONICS Version)				Application No.	Not Yet Assigned
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				Filing Date	July 18, 2003
				Inventor	LATTNER et al.
				Confirmation No.	Unknown
				Group Art Unit	Unknown
Date	July 18, 2003			Examiner:	Unknown
Sheet	7	of	7	Attorney Docket No:	98-15 D1

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T
/J.T./	Y	Zoltan Tomori et al., "Reflex Reversal of Apnoeic Episodes by Electrical Stimulation of Upper Airway in Cats," Respiration Physiology, Vol. 102, 1995, pages 175 - 185	
/J.T./	Z	John R. Wheatley et al., "Influence of Sleep on Genioglossus Muscle Activation by Negative Pressure in Normal Men," Am Rev Respir Dis., Vol. 148, 1993, 597 - 605	
/J.T./	AA	John R. Wheatley et al., "The Influence of Sleep on Pharyngeal Reflexes," American Sleep Disorders Association and Sleep Research Society, Vol. 16, 1993, pages S87 - S89	
/J.T./	BB	Laurel Wiegand et al., "Collapsibility of the Human Upper Airway During Normal Sleep," J. Appl. Physiol., Vol. 66 No. 4, 1989, pages 1800 - 1808	
	CC		
	DD		
	EE		
	FF		
	GG		
	HH		
	II		
	JJ		

Examiner Signature	/Jonathan Thomas/	Date Considered	06/05/2007
-----------------------	-------------------	--------------------	------------

EXAMINER: Initial if citation is considered, whether or not citation is in conformance with MPEP § 609. Draw a line through the citation if not in conformance and not considered. Per MPEP § 609, include a copy of this form with the next communication to the Applicant.